

CITY OF ROCKVILLE PLANNING DIVISION  
STAFF REPORT

June 2, 2003

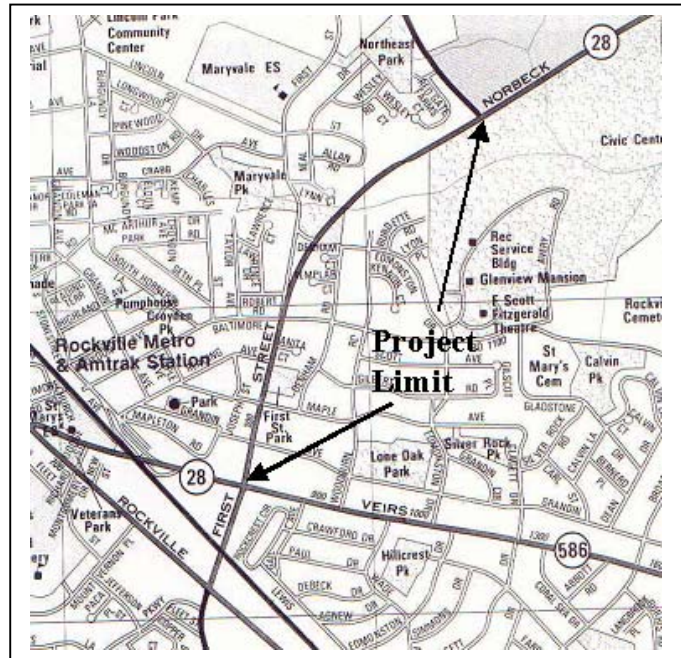
**SUBJECT:**

Mandatory Referral of the  
Millennium Trail Phase II

Applicant: City of Rockville  
111 Maryland Ave.  
Rockville, Maryland  
20850

Property  
Location: Norbeck Road from  
East Gude Drive to  
Veirs Mill Road

Planning Commission Review Date:  
June 11, 2003



**Summary of Application:**

Phase II of the Rockville Millennium Trail travels along Norbeck Road (MD Route 28) from East Gude Drive to Veirs Mill Road. The project consists of an off-road multi-use path beginning at Gude Drive where the path will connect to the existing Gude Drive bike path and the Norbeck Road bike path that leads to Avery Road. Traveling south the path runs parallel to Norbeck Road with a separation of 0-5' depending on the grades adjacent to the path. It crosses Croydon Creek at the same elevation as the roadway by means of a culvert extension and retaining wall. At the intersection of Norbeck and First Street, the path will connect to the service road that runs parallel to Norbeck Road. Well-marked intersection crossings and signage will be a key feature of the bikeway from First Street to Veirs Mill Road. From Baltimore Road to Veirs Mill Road the path is located on the median that separates the service road from the main carriageway of MD 28. Expanding the median by 3 feet and taking 5 feet from the existing median to create an 8-foot off-road facility on the service road side of the median will provide the area to accomplish this.

Currently at this location there is no sidewalk, path or pedestrian facility of any kind on either side of Norbeck Road. It is within one mile of the Rockville Metro Station and provides a vital link to the newly constructed Baltimore Road bike path. The State Highway Administration constructed the Norbeck Road bike path in 2001 as part of the State Congestion Relief Study (CRS). Both the Baltimore and Norbeck Road paths provide connections to the Rock Creek Park

bike path. TEA-21 funding has been granted for this project with a maximum reimbursable limit of \$735,660. The engineer's estimate for this project (attached) includes \$735,607 from Transportation Enhancement Funding and 350,617 from the City Capital Improvement Program, Project #420-900-3B60.

This project is in compliance with the City of Rockville Bikeway Master Plan as well as the American Association of State Highway and Transportation Officials (AASHTO) and Americans with Disabilities (ADA) guidelines. Every effort has been made to reduce the environmental impacts and the stormwater management for this project has exceeded the requirement. Applications have been submitted for all necessary permits associated with this project.

Public meetings and open houses were held addressing the Bikeway Master Plan and particularly this project from April 1996 to April 2002

## **II. Mandatory Referral Process & Criteria:**

Article 66B, Section 3.08 of the State Annotated Code contain the enabling provisions for the mandatory referral process. In summary, the Planning Commission reviews proposed projects to determine if its location, character, and extent are consistent with the plan. The full text follows:

*“ If a local legislative body has adopted a whole plan or a plan for one or more geographic sections or divisions of the local jurisdiction, a publicly or privately owned street, square, park, or other public way, ground, or open space, or public building or structure, or public utility may not be constructed or authorized in the local jurisdiction or the major geographic section of the local jurisdiction until the location, character, and extent of the development has been submitted to and approved by the planning commission as consistent with the plan.*

- *The planning commission shall communicate its decision and the reasons for its decision to the local legislative body that has jurisdiction over the financing of the public way, ground, space, building, structure, or utility.*
- *The local legislative body or other body having jurisdiction may overrule the decision by a recorded vote of not less than 2/3 of its entire membership.*
- *If a planning commission fails to act on a submission within 60 days after the date of official submission to the planning commission, the submission shall be considered approved.*
- *If a local legislative body or other body having jurisdiction fails to act within 60 days after the date of submission of the recommendation of the planning commission, the local legislative body with jurisdiction shall be considered to have concurred with the recommendation of the planning commission.*

- *The local legislative body shall adopt the plan as a whole or for one or more major geographic sections or divisions of the jurisdiction, and further shall adopt any amendment or extension thereof or addition thereto.*”

### **III. Compatibility with the Plan:**

#### **Location**

Phase II of the Rockville Millennium Trail travels along Norbeck Road (MD Route 28) from East Gude Drive to Veirs Mill Road. The Bikeway Master Plan recommends a bikeway beltway (renamed Millennium Trail) along this route (attached).

#### **Character**

The plan provides recommendations regarding the general character of bikeways. The plan recommends, “a bikeway be separated from motorized traffic by an open space or barrier and either within the highway right-of-way or within independent right-of-way”. The plan suggest that two-way bike paths should be at least 10 feet wide and discourages one-way trails since they are likely to be traveled in both directions and are difficult to enforce. At its January 23, 2002 meeting the Mayor and Council approved a modification to the design contract for this section of the Millennium Trail (attached).

The project consists of an off-road multi-use path beginning at Gude Drive where the path will connect to the existing Gude Drive bike path and the Norbeck Road bike path that leads to Avery Road. Traveling south the path runs parallel to Norbeck Road with a separation of 0-5’ depending on the grades adjacent to the path. It crosses Croydon Creek at the same elevation as the roadway by means of a culvert extension and retaining wall. At the intersection of Norbeck and First Street, the path will connect to the service road that runs parallel to Norbeck Road. Well-marked intersection crossings and signage will be a key feature of the bikeway from First Street to Viers Mill Road. From Baltimore Road to Veirs Mill Road the path is located on the median that separates the service road from the main carriageway of MD 28. The plan’s goal is for the Millennium Trail to be completely off road (except for intersections). However, it is acknowledged that in retrofit locations such as the section between First Street and Baltimore Road, the use of a low volume road such as the service road can achieve the goal while minimizing community impact. Therefore, staff finds that the character of the project surpasses the character envisioned in the plan.

#### **Extent**

Staff finds that the proposed is consistent with the plan.

#### **Conclusion:**

Staff finds that the proposed project’s location, character, and extent are consistent with the approved and adopted 1998 Bikeway Master Plan.